

IN THE SENATE

SENATE BILL NO. 1004

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE JUVENILE CORRECTIONS ACT; AMENDING SECTION 20-524, IDAHO CODE, TO REVISE PROVISIONS RELATING TO REIMBURSEMENT FOR COSTS INCURRED FOR THE CARE AND TREATMENT OF A JUVENILE OFFENDER.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 20-524, Idaho Code, be, and the same is hereby amended to read as follows:

20-524. ~~SUPPORT OF JUVENILE~~ -- REIMBURSEMENT FOR COSTS INCURRED. (1) Whenever a juvenile offender is placed by the court in custody ~~other than that of the juvenile's parents, guardian or custodian of the department of juvenile corrections,~~ after due notice to the parent, or legal guardian or ~~other persons legally obligated to care for and support the juvenile,~~ and after a hearing, the court may order and decree that the parent or ~~other legally obligated person~~ guardian shall pay in such a manner as the court may direct a reasonable sum that will cover in whole or in part the support care and treatment of the juvenile. If the parent or ~~other legally obligated person~~ guardian willfully fails or refuses to pay such sum, the court may proceed against him for contempt, or the order may be filed and shall have the effect of a civil judgment. Any sum assessed against the parent or legal guardian shall accrue on a monthly basis during the time the juvenile offender is in the custody of the department of juvenile corrections and shall continue to accrue until the date the juvenile offender is released from the custody of the department. The obligation of the parent or legal guardian to pay current and accrued amounts shall continue until paid in full, regardless of the juvenile offender's age.

(2) If the juvenile is detained, the court may order that the parents or other legal guardian of the juvenile contribute to the costs of detention in an amount to be set by the court. The order may be filed and shall have the effect of a civil judgment. It is the intent of the legislature that foster parents or a parent or legal guardian receiving public assistance relating to that juvenile should not benefit from the continued receipt of payments or public assistance from any state or federal agency while the juvenile is detained. The department of health and welfare is directed to promulgate a rule implementing this intent.

~~(3) All child support orders shall notify the obligor that the order will be enforced by income withholding pursuant to chapter 12, title 32, Idaho Code.~~

~~(4) Failure to include these provisions does not affect the validity of the support order or decree. The court shall require that the social security numbers of both the obligor and obligee be included in the order or decree.~~